(4)

Single Bench

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

(IN SERVICE MATTER)

W.P.No. 4177 /2004

PETITIONERS : 1) Uma Verma d/o Naresh Ram aged 34 years by caste Kurmi belonging to backward Class resident of village Latuwa Tahsil BalodaBazar District Raipur

2) Kunti Verma wd/o Naresh Ram aged 54 years by caste Kurmi (belonging to Backward Class) resident of village Latuwa Tahsil Baloda Bazar, District Raipur (C.G.)

P.R. No. 4176/04
Presented by Shri Santosh Sahu
dated 29/10/04

VERSUS

RESPONDENTS : 1. The State of Chhattisgarh through the Chief Secretary, Department of Education (Higher Secondary), D.K.Bhawan Raipur, District Raipur.

2. The Collector, Raipur, to the State of Chhattisgarh District Raipur

3. The District Education Officer Raipur, District Raipur

4. The Principal, Government M.H.S.School, Baloda Bazar District Raipur (C.G.)

29/10/04
Asstt. Registrar
High Court of C.G. Bilaspur

29/10/04

PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA FOR ISSUE OF MANDAMUS, PROHIBITION, CERCIORARY ETC. OR ANY APPROPRIATE WRIT, DIRECTION OR ORDER.

(50)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4177/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

12.1.2005

Shri C.R.Sahu, counsel for the petitioners.

Shri Sandip Dubey, Panel Lawyer for the State/respondents on advance copy.

With the consent of the parties, heard finally.

The petitioners are daughter and wife of deceased Naresh Ram Verma, who died on 11.6.2003 during the course of his employment as Assistant Teacher(Science) in Government M. H. S. School, Baloda Bazar, District- Raipur.

Learned counsel for the petitioners submits that after the death of Naresh Ram Verma, an application was made for compassionate appointment of his daughter namely- Uma Verma by the petitioners.

Referring to the document, Annexure P-1, learned counsel for the petitioners submits that the application along with various other documents was referred to District Education Officer, Raipur by the Principal of concerned Institution on 18.9.2003. He further submits that after the said date, no correspondence has been made so far. He also submits that the

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4177/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन प्रयोजनों में डिप्टी रजिस्ट्रार के अंतिम आदेश

family of the deceased is facing great hardship and the dependents are at the verge of starvation."

Submission of learned counsel for the petitioners is that the concept behind providing compassionate appointment to the dependents of the deceased is to extend a kind of help to the family members after the death of bread-earner of the family. In fact, the delay caused in such actions are undesirable and uncalled for. He very fairly prayed that a direction be issued to the respondents to dispose of the said application for compassionate appointment and they may also be directed to dispose of the case for compassionate appointment within some stipulated period.

Learned State counsel does not oppose this limited prayer regarding disposal of the said application by the State authorities. However, he submits that some reasonable time should be fixed so that the authorities may dispose of the case in accordance with law.

In the opinion of this Court, the ends of justice would be served if a direction be issued to the State authorities to

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

माअला क्रमांक W.P.4177/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

dispose of the matter of compassionate appointment of petitioner No.1 which has been referred vide memo dated 18.9.2003, issued by the Principal to the District Education Officer, Raipur (Annexure P-1).

In consequence, it is directed that the petitioners may file an application along with the copy of this petition and order dated 12.1.2005 before the authorities of the State within a period of 15 days from today and if such an application is field, the concerned authorities shall trace out the application of the petitioners and shall dispose of the same as early as possible preferably within a period of 4 months from the date of filing of the application.

With the aforesaid directions, the petition stands finally disposed of.

Consequently, M.W.P.No.4552/2004 and I.A.No.8475/04 for urgent hearing also stand disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

sunita